



BAKER BOTTS LLP

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1700  
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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/940,114
Filing Date	August 27, 2001
First Named Inventor	T. Nishizawa
Group Art Unit	1731
Examiner Name	C.A. Fiorilla
Attorney Docket Number	A30603-A-I 072595.0184

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply 12/12/2003 DTESSEM1 00000130 09940114
- ii. ☐ Affidavit(s)/Declaration(s) 01 FC:1801 770.00 OP
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-4377
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☒ Other Any additional charges under 37 CFR 1.16 and 1.117
- b. ☒ Check in the amount of \$ 1,190 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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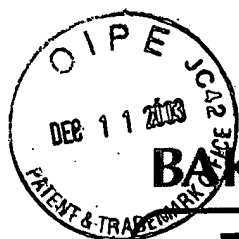
## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Richard G. Berkley	Registration No. (Attorney/Agent)	25,465
Signature		Date	December 9, 2003

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Alexandria, VA 22313-1450, or facsimile transmitted to the US Patent and Trademark Office on:

Name (Print/Type)	Richard G. Berkley	Date	December 9, 2003
Signature			

**BAKER BOTTS LLP**

# FEE TRANSMITTAL for FY 2003

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$)**1,480****Complete if Known**

Application Number	09/940,114
Filing Date	August 27, 2001
First Named Inventor	T. Nishizawa
Examiner Name	C.A. Fiorilla
Art Unit	1731
Attorney Docket No.	A30603-A-I 072595.0184

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TC 1700**METHOD OF PAYMENT** (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

02-4377

Baker Botts LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee required under 37CFR 1.16 and 1.17☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) <b>0</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		Extra Claims		Fee from below		Fee Paid
Independent	18	- 20 =	0	X		0
Multiple Dependent	1	- 3 =	0	X		0
						290

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**290**

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	420
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	770
1802	900	1802	900	Request for expedited examination of a design application	

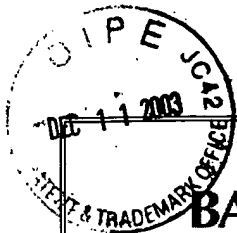
Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**1,190****SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	Richard G. Berkley	Registration No. (Attorney/Agent)	25,465	Telephone	(212) 408-2554
Signature	<i>Richard G. Berkley</i>	Date	December 9, 2003		



**BAKER BOTTS** LLP

Attorney Docket Number: A30603-A-I 072595.0184

Title: APPARATUS AND METHOD FOR PRODUCING MAGNET ROLLER

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**TC 1700**

Use Space Below for Additional Information:

PATENT



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Toshimichi Nishizawa

Serial No. : 09/940,114 Examiner : Fiorilla, Christopher A

Filed : August 27, 2001 Group Art Unit: 1731

For : APPARATUS AND METHOD FOR PRODUCING  
MAGNET ROLLER

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AMENDMENT AND RESPONSE TO OFFICE ACTION

I hereby certify that this paper is being deposited  
with the United States Postal Service as first class mail in  
an envelope addressed to: Commissioner for Patents, P.O.  
Box 1450, Alexandria, VA 22313-1450.

December 9, 2003

Date of Deposit

Richard G. Berkley

Attorney Name

25,465

PTO Registration No

Signature

December 9, 2003

Date of Signature

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

12/12/2003 DTESSEM1 00000130 09940114

03 FC:1203

290.00 OP

Sir:

This is in response to the final Office Action dated July 9, 2003 in the above-  
identified application. Concurrently herewith applicant has filed (i) a petition and the  
appropriate fee under 37 C.F.R. 1.17(a)(2) for a two-month extension of the period for response

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to the Office Action from October 9, 2003 to and including December 9, 2003, and (ii) a Request for Continued Examination and the appropriate fee under 37 C.F.R. 1.17(e) to reopen the prosecution.

Please amend the application as follows:

**Amendments to the claims** are reflected in the listing of claims beginning on page 3 of this paper.

**Remarks** begin on page 5 of the paper.